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Strike 3 Holdings, LLC

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

STRIKE 3 HOLDINGS, LLC,  
Plaintiff,

vs.

JOHN DOE subscriber assigned IP  
address 98.147.178.21,  
Defendant.

Case Number: 2:25-cv-01884-TJH-SP

**FIRST AMENDED COMPLAINT  
FOR COPYRIGHT  
INFRINGEMENT - DEMAND FOR  
JURY TRIAL**

**[REDACTED VERSION]**

Plaintiff, Strike 3 Holdings, LLC (“Strike 3” or “Plaintiff”), brings this First Amended Complaint against Defendant, John Doe subscriber assigned IP address 98.147.178.21 a/k/a [REDACTED] (“Defendant”) a/k/a “[REDACTED]”, and alleges as follows:

**Introduction**

1. This is a case about the ongoing and wholesale copyright infringement of Plaintiff’s motion pictures by Defendant.

2. Plaintiff is the owner of award-winning, critically acclaimed adult motion pictures.

3. Strike 3’s motion pictures are distributed through the *Blacked*, *Blacked Raw*, *MILFY*, *Slayed*, *Tushy*, *Tushy Raw*, *Vixen* and *Wifey* adult websites

1 and DVDs. With millions of unique visitors to its websites each month, the  
2 brands are famous for redefining adult content, creating high-end, artistic, and  
3 performer-inspiring motion pictures produced with a Hollywood style budget and  
4 quality.

5 4. Defendant is, in a word, stealing these works on a grand scale. Using  
6 the BitTorrent protocol, Defendant is committing rampant and wholesale  
7 copyright infringement by downloading Strike 3's motion pictures as well as  
8 distributing them to others. Defendant did not infringe just one or two of Strike  
9 3's motion pictures, but has been recorded infringing 65 movies over an extended  
10 period of time.

11 5. Although Defendant attempted to hide this theft by infringing  
12 Plaintiff's content anonymously, this court's order permitted Plaintiff to serve a  
13 subpoena on Defendant's Internet Service Provider ("ISP"), Spectrum, to discover  
14 the identity of the subscriber assigned IP address 98.147.178.21, the IP address  
15 Defendant used to download and share Plaintiff's works.

16 6. Based on Plaintiff's investigation of the subscriber and publicly  
17 available resources, Plaintiff identified Defendant as the true infringer.

18 7. This is a civil action seeking damages under the United States  
19 Copyright Act of 1976, *as amended*, 17 U.S.C. §§ 101 et seq. (the "Copyright  
20 Act").

### 21 **Jurisdiction and Venue**

22 8. This Court has subject matter jurisdiction over this action pursuant to  
23 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338 (jurisdiction over  
24 copyright actions).

25 9. This Court has personal jurisdiction over Defendant because  
26 Defendant used an Internet Protocol address ("IP address") traced to a physical  
27 address located within this District to commit copyright infringement. Therefore:  
28 (i) Defendant committed the tortious conduct alleged in this First Amended

1 Complaint in this State; (ii) Defendant resides in this State and/or; (iii) Defendant  
2 has engaged in substantial – and not isolated – business activity in this State.

3 10. Pursuant to 28 U.S.C. § 1391(b) and (c), venue is proper in this  
4 district because: (i) a substantial part of the events or omissions giving rise to the  
5 claims occurred in this District; and, (ii) the Defendant resides (and therefore can  
6 be found) in this District and resides in this State. Additionally, venue is proper in  
7 this District pursuant 28 U.S.C. § 1400(a) (venue for copyright cases) because  
8 Defendant or Defendant’s agent resides or may be found in this District.

9 **Parties**

10 11. Plaintiff, Strike 3 is a Delaware limited liability company located at  
11 2140 S. Dupont Hwy, Camden, DE.

12 12. Defendant, [REDACTED], is an individual currently residing at  
13 [REDACTED].

14 **Factual Background**

15 ***Plaintiff’s Award-Winning Copyrights***

16 13. Strike 3’s subscription-based websites proudly boast a paid  
17 subscriber base that is one of the highest of any adult-content sites in the world.  
18 Strike 3 also licenses its motion pictures to popular broadcasters and Strike 3’s  
19 motion pictures are some of the highest selling adult DVDs in the United States.

20 14. Strike 3’s motion pictures and websites have won numerous awards,  
21 such as “best cinematography,” “best new studio,” and “adult site of the year.”

22 15. Strike 3’s motion pictures have had positive global impact, leading  
23 more adult studios to invest in better content, higher pay for performers, and to  
24 treat each performer with respect and like an artist.

25 16. Unfortunately, Strike 3, like a large number of other makers of  
26 motion picture and television works, has a major problem with Internet piracy.  
27 Often appearing among the most infringed popular entertainment content on  
28 torrent websites, Strike 3’s motion pictures are among the most pirated content in

1 the world.

2 ***Defendant Used the BitTorrent File Distribution Network***  
3 ***to Infringe Plaintiff's Copyrights***

4 17. BitTorrent is a system designed to quickly distribute large files over  
5 the Internet. Instead of downloading a file, such as a movie, from a single source,  
6 BitTorrent users are able to connect to the computers of other BitTorrent users in  
7 order to simultaneously download and upload pieces of the file from and to other  
8 users.

9 18. BitTorrent's popularity stems from the ability of users to directly  
10 interact with each other to distribute a large file without creating a heavy load on  
11 any individual source computer and/or network. It enables Plaintiff's motion  
12 pictures, which are often filmed in state of the art 4kHD, to be transferred quickly  
13 and efficiently.

14 19. To share a movie within the BitTorrent network, a user first uses  
15 BitTorrent software to create a .torrent file from the original digital media file.  
16 This process breaks the original digital media file down into numerous pieces.

17 20. The entire movie file being shared has a hash value (*i.e.*, the "File  
18 Hash"). A hash value is an alpha-numeric value of a fixed length that uniquely  
19 identifies data.

20 21. Hash values are not arbitrarily assigned to data merely for  
21 identification purposes, but rather are the product of a cryptographic algorithm  
22 applied to the data itself. As such, while two identical sets of data will produce  
23 the same cryptographic hash value, any change to the underlying data – no matter  
24 how small – will change the cryptographic hash value that correlates to it.

25 22. To find and re-assemble the pieces of the digital media file, *i.e.*, to  
26 download the file using BitTorrent, a user must obtain the .torrent file for the  
27 specific file that has been broken down into pieces.

28 23. Each .torrent file contains important metadata with respect to the

1 pieces of the file. When this data is put into the cryptographic algorithm, it results  
2 in a hash value called the “Info Hash.”

3 24. The “Info Hash” is the data that the BitTorrent protocol uses to  
4 identify and locate the other pieces of the desired file (in this case, the desired file  
5 is the respective file for the infringing motion pictures that are the subject of this  
6 action) across the BitTorrent network.

7 25. Using the Info Hash in the metadata of a .torrent file, a user may  
8 collect all the pieces of the digital media file that correlates with the specific  
9 .torrent file.

10 26. Once a user downloads all of the pieces of that digital media file from  
11 other BitTorrent users, the digital media file is automatically reassembled into its  
12 original form, ready for playing.

13 27. Plaintiff has developed, owns, and operates infringement detection  
14 systems named “VXN Scan” and the “Cross Reference Tool”. Each infringement  
15 detection system identifies infringement in two distinct ways.

16 28. The Cross Reference Tool first searched for and obtained .torrent  
17 files claiming to be infringing copies of Plaintiff’s works, and then VXN Scan  
18 downloaded complete copies of the digital media files that correlate to those  
19 .torrent files.

20 29. Plaintiff then compared the completed digital media files to  
21 Plaintiff’s copyrighted works to determine whether they are infringing copies of  
22 one of Plaintiff’s copyrighted works.

23 30. The digital media files have been verified to contain a digital copy of  
24 a motion picture that is identical (or, alternatively, strikingly similar or  
25 substantially similar) to Plaintiff’s corresponding original copyrighted Works.

26 31. VXN Scan used the “Info Hash” value, contained within the metadata  
27 of the .torrent file which correlated with a digital media file that was determined  
28 to be identical (or substantially similar) to a copyrighted work, to download a

1 piece (or pieces) of multiple digital media files from Defendant using the  
2 BitTorrent network.

3 32. VNX Scan only downloads pieces of digital media files from  
4 Plaintiff's copyrighted works. At no point did VNX Scan upload content to any  
5 BitTorrent user. Indeed, it is incapable of doing so.

6 33. While Defendant was using the BitTorrent file distribution network,  
7 VNX Scan established multiple direct TCP/IP connections with Defendant's IP  
8 address.

9 34. Plaintiff identified these pieces as portions of infringing copies of  
10 Strike 3's motion pictures.

11 35. VNX Scan detected, captured and documented Defendant  
12 transmitting pieces of Plaintiff's copyrighted motion pictures and recorded those  
13 transactions in a Packet Capture ("PCAP") file.

14 36. Plaintiff also recorded infringement using its Cross Reference Tool.

15 37. The Cross Reference Tool is designed on the basis of a distributed  
16 hash table ("DHT") and is a class of decentralized distributed systems that  
17 provides an identification service similar to a hash table: (key, value) pairs are  
18 stored in a DHT, and any participating node can efficiently retrieve the value  
19 associated with a given key.

20 38. BitTorrent clients use a DHT to locate peers who are participating in  
21 the distribution of the digital media files related to the Info Hash. Specifically, a  
22 BitTorrent client locates and connects to the DHT network. That way it registers  
23 its own IP address while requesting IP addresses of other peers, which are  
24 distributing the same .torrent file.

25 39. Using this process BitTorrent users are able to locate and connect to a  
26 number of peers within a particular swarm, and download the data related to each  
27 .torrent file.

28 40. A BitTorrent client registers the IP address of the user into the DHT

1 with the purpose of participating in the distribution of constituent pieces of the  
2 relevant digital media file.

3 41. The Cross Reference Tool uses servers that locate .torrent files and  
4 their related Info Hashes. The servers subsequently download the torrent  
5 information from popular torrent websites. The Cross Reference Tool is incapable  
6 of downloading any digital media file associated with an Info Hash, and it has  
7 only the ability to download torrent file metadata.

8 42. Similar to BitTorrent clients, the Cross Reference Tool uses a DHT  
9 to obtain the IP Addresses of peers registered to each .torrent file listed in the  
10 DHT.

11 43. The Cross Reference Tool detected and documented that Defendant  
12 used the BitTorrent File Distribution Network with the purpose of distributing  
13 digital media files that have been determined to be identical (or substantially  
14 similar) to Plaintiff's copyrighted motion pictures. At no point did the Cross  
15 Reference Tool upload content to any BitTorrent user. Indeed, it is incapable of  
16 doing so.

17 44. Both VXN Scan and the Cross Reference Tool independently  
18 recorded multiple infringements in the manner described above. Collectively,  
19 Plaintiff's proprietary software detected 65 number of infringements.

20 45. Each work infringed by Defendant is listed on Exhibit A and sets  
21 forth the Universal Time Coordinated (UTC) time and date of each infringement,  
22 along with the Info Hash value obtained from the metadata of the corresponding  
23 .torrent file.

24 46. Exhibit A also sets forth relevant copyright information for each  
25 work at issue: the date of publication, the date of registration, and the work's  
26 copyright registration number. In a showing of good faith, Plaintiff has  
27 intentionally omitted the title of the work from this public filing due to the adult  
28 nature of its content, but can provide a version of Exhibit A containing the works'



1 titles to the Court or any party upon request.

2 47. Thus, Defendant downloaded, copied, and distributed Plaintiff's  
3 Works without authorization.

4 48. Defendant's infringement was continuous and ongoing.

5 49. Plaintiff owns the copyrights to the Works and the Works have been  
6 registered with the United States Copyright Office.

7 50. Plaintiff seeks statutory damages, attorneys' fees, and costs under  
8 17 U.S.C. § 501 of the United States Copyright Act.

9 **Discovery Will Show that Defendant is the Individual**

10 **Who Infringed Plaintiff's Copyrighted Works**

11 51. Plaintiff's investigation has determined that Defendant is the person  
12 who used IP address 98.147.178.21 to infringe on its copyrighted works.

13 52. Plaintiff utilized the Maxmind geolocation service to determine the  
14 ISP that assigned IP address 98.147.178.21 (to determine the correct ISP to whom  
15 a subpoena can be sent) and the geographic location of the subscriber of that IP  
16 address (to determine the proper venue in which to file an action).

17 53. Maxmind reported that IP address 98.147.178.21 was assigned by  
18 Spectrum ("ISP") to a subscriber approximately located in South Pasadena,  
19 California.

20 54. After the Court granted Plaintiff's request to conduct limited  
21 expedited discovery, Plaintiff served the court-authorized subpoena on the ISP on  
22 or about March 31, 2025.

23 55. Upon information and belief, the ISP subsequently provided notice of  
24 the subpoena (and this lawsuit) to the subscriber, in compliance with the Cable  
25 Communications Policy Act of 1984 ("CCPA"), 47 U.S.C. § 551 et seq.

26 56. The ISP responded to the subpoena and identified Defendant as the  
27 subscriber assigned the relevant IP address during at least one date of  
28 infringement and provided Defendant's address identified in paragraph 12.



1           57. The address identified in paragraph 12 is a single-family home.

2           58. After receiving the ISP's response to the subpoena, Plaintiff reviewed  
3 publicly available information for Defendant who, upon information and belief,  
4 resided in the residence (and therefore had sufficient access to the IP address  
5 during the period of infringement).

6           59. Defendant lived at the residence identified in paragraph 12 above  
7 during the period of infringement.

8           60. Upon information and belief, the only other occupant(s) of the  
9 residence identified in paragraph 12 above during the period of infringement were  
10 Defendant's wife and parent.

11           61. Plaintiff also logged BitTorrent network activity emanating from IP  
12 address 98.147.178.21 involving works other than Plaintiff's 65 copyrighted  
13 works during the period of infringement. Collectively, this evidence is referred to  
14 as the "Additional Evidence."

15           62. Plaintiff's Additional Evidence indicates that IP address  
16 98.147.178.21 was used to download and distribute files relating to other adult  
17 movies and mainstream media (i.e., movies, music, books, software, TV shows,  
18 and other works) using the BitTorrent protocol during the period of infringement.

19           63. The consistent and prolonged history of BitTorrent activity indicates  
20 that the infringer is unlikely to be a houseguest or infrequent visitor.

21           64. Publicly available records indicate strong matches between the  
22 BitTorrent activity identified in Plaintiff's Additional Evidence and Defendant.

23           65. [REDACTED].

24           66. [REDACTED].

25           67. [REDACTED]:

26               a. [REDACTED];

27               b. [REDACTED];

28               c. [REDACTED];

- d. [REDACTED];
- e. [REDACTED];
- f. [REDACTED];
- g. [REDACTED];
- h. [REDACTED];
- i. [REDACTED];
- j. [REDACTED];
- k. [REDACTED];
- l. [REDACTED];
- m. [REDACTED];
- n. [REDACTED];
- o. [REDACTED];
- p. [REDACTED];
- q. [REDACTED];
- r. [REDACTED];
- s. [REDACTED];
- t. [REDACTED];
- u. [REDACTED];
- v. [REDACTED];
- w. [REDACTED];
- x. [REDACTED];
- y. [REDACTED];
- z. [REDACTED];
- aa. [REDACTED]; and
- bb. [REDACTED].

68. [REDACTED].

**COUNT I**

**Direct Copyright Infringement**

69. The allegations contained in paragraphs 1-68 are hereby re-alleged as if fully set forth herein.

70. Plaintiff is the owner of the Works, which is an original work of authorship.

71. Defendant copied and distributed the constituent elements of Plaintiff's Works using the BitTorrent protocol.

72. At no point in time did Plaintiff authorize, permit or consent to Defendant's distribution of its Works, expressly or otherwise.

73. As a result of the foregoing, Defendant violated Plaintiff's exclusive right to:

(A) Reproduce its Works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;

(B) Distribute copies of the Works to the public by sale or other transfer of ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;

(C) Perform the copyrighted Works, in violation of 17 U.S.C. §§ 106(4) and 501, by showing the Works' images in any sequence and/or by making the sounds accompanying the Works' audible and transmitting said performance of the work, by means of a device or process, to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definitions of "perform" and "publicly" perform); and

(D) Display the copyrighted Works, in violation of 17 U.S.C. §§ 106(5) and 501, by showing individual images of the works non-sequentially and transmitting said display of the works by means of a device or process to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definition of "publicly" display).

74. Defendant's infringements were committed "willfully" within the meaning of 17 U.S.C. § 504(c)(2).

WHEREFORE, Plaintiff respectfully requests that the Court:

(A) Permanently enjoin Defendant from continuing to infringe Plaintiff's copyrighted Works;

(B) Order that Defendant delete and permanently remove the digital media files relating to Plaintiff's Works from each of the computers under Defendant's possession, custody or control;

(C) Order that Defendant delete and permanently remove the infringing copies of the Works Defendant has on computers under Defendant's possession, custody or control;

(D) Award Plaintiff statutory damages per infringed work pursuant to 17 U.S.C. § 504(a) and (c);

(E) Award Plaintiff its reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505; and

(F) Grant Plaintiff any other and further relief this Court deems just and proper.

DATED this 2<sup>nd</sup> day of July, 2025.

**Law Offices of Lincoln Bandlow, PC**

*s/ Lincoln D. Bandlow*

Lincoln D. Bandlow  
Attorney for Plaintiff  
Strike3 Holdings, LLC

1                                    **DEMAND FOR A JURY TRIAL**

2            Plaintiff hereby demands a trial by jury on all issues so triable.

3            DATED this 2<sup>nd</sup> day of July, 2025.

4                                    **Law Offices of Lincoln Bandlow, PC**

5                                    *s/ Lincoln D. Bandlow*

6                                    Lincoln D. Bandlow  
7                                    Attorney for Plaintiff  
8                                    Strike3 Holdings, LLC